

FARGO CITY COMMISSION AGENDA

Monday, April 19, 2021 – 5:00 P.M.

Executive Session at 4:00 p.m.

Roll Call.

PLEASE NOTE: The City Commission will convene at 4:00 p.m. and retire into Executive Session in the Red River Room to discuss strategy and to provide negotiating instructions to its negotiator, the Mayor, regarding the Airport Authority's proposed amendment to the January 14, 2020 MOU between the City and the Airport Authority, and regarding the recent proposal for transition submitted by the Airport Authority and terms for amendment of the MOU. The City Commission's discussion of such matters, if held in public, would have an adverse fiscal effect on the City's negotiating position with the Airport Authority. This Executive Session is authorized pursuant to N.D.C.C. §44-04-19.1(9). The City Commission will also discuss, in a closed portion of the meeting, the City's public health and security plans, which plans themselves are exempt records (N.D.C.C. §44-04-25) and the portion of the meeting that would disclose such plans is also exempt from meeting requirements as otherwise required by N.D.C.C. §44-04-19 and Article XI, § 5 of the North Dakota Constitution, all as provided in N.D.C.C. §44-04-26.

Regular Meeting at 5:00 P.M.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, April 5, 2021).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of an Ordinance Relating to Classification of Ordinance Violations; 1st reading on 4/5/21.
- 2. Authorize the City Attorney to work with staff and others to draft an Anti-Bias/Hate Crime Ordinance.
- 3. Mutual Assignment and Termination Agreement with eSmart Systems US, Inc., Innowatts, Inc. and The Alliance Risk Group, LLC, and Master Services Agreement with Innowatts, Inc.
- 4. Agreement with Walker Consultants to develop a Facility Condition Appraisal and development of a 10-year budget for City parking facilities.
- 5. Site Authorizations for Games of Chance:
 - a. VFW Post 762 at VFW Club.

- b. Fraser Ltd. at Golf Addiction.
6. Applications for Games of Chance:
- a. El Zagal Provost Unit for a sports pool from 9/10/21 to 1/3/22.
 - b. Wienckowski Wolfpack Fundraiser Benefit for a raffle and raffle board on 5/20/21; Public Spirited Resolution.
 - c. Davies Young Guns for a raffle on 5/22/21.
 - d. New Life Center for a raffle on 9/28/21.
 - e. FM Walleyes Unlimited, Inc. for a raffle on 10/21/21.
7. Memorandum of Offer to Landowners for Permanent and Temporary Easements for Project No. FM-19-E:
- a. Jason and Onnolee Nordstrom.
 - b. Park District of the City of Fargo.
 - c. Dmitri S. Kilin and Svetlana V. Kilina.
 - d. Bryan L. and Janice A. Randerson.
8. Permanent Easement (Electric Switch and Associated Equipment) with Xcel Energy.
9. Installation of a 12-inch Xcel Energy gas main.
10. Bid awards for Project Nos. SL-21-A1, TM-21-A1 and TR-21-A1.
11. Request from the FARGODOME to apply for the State Homeland Security Grant Program and the Shuttered Venue Operators Grant.
12. Receive and file General Fund-Budget to Actual through March 2021 (unaudited).
13. Grant Award and Acceptance of the Coronavirus Emergency Supplemental Funding (CESF) Program for \$11,761.00 and to designate the YWCA Cass Clay as the pass through grant recipient (CFDA #16.034).
14. Set May 3, 2021 at 5:15 p.m. as the date and time for a hearing on a dangerous building at 1648 8th Avenue South.
15. Change Order No. 1 for an increase of \$10,258.00 for the temporary overflow shelter at 1015 30th Avenue South, Moorhead.
16. Lions Club project concept, acceptance and installation of the Spirit of the Sandbagger artwork, subject to the execution of the necessary agreements.
17. Bid award for the 2021 contractor re-mulching of medians and planting beds (RFP21074).
18. Bid award for Professional Auction Services (RFP21049).
19. Wireless Equipment Lease termination with AT&T at Water Tower No. 1 (1102 7th Avenue North).
20. Contracts and bonds for Project Nos. SR-21-A1 and WA1910.
21. Bills.
22. Negative Final Balancing Change Order No. 5 in the amount of -\$36,425.93 for Improvement District No. BR-20-C1.

23. Phase 1 Scope and Fee for Engineering Services with Apex Engineering Group for Improvement District No. BN-20-A2.
24. Create Improvement District Nos. AN-20-C and BN-21-J.
25. Bid awards for Improvement District Nos. BN-20-A1 and FM-19-A1.
26. Contracts and bonds for Improvement District Nos. BR-21-E1 and PR-21-C1.

REGULAR AGENDA:

27. a. **RESIDENT COMMENTS (Fargo residents will be offered 2.5 minutes for comment with a maximum of 30 minutes total for all resident comments. Residents who would like to address the Commission, whether virtually or in person, must sign-up at FargoND.gov/VirtualCommission).**
b. City Commission discussion regarding Resident Comments.
28. ***Public Input Opportunity* - PUBLIC HEARINGS - 5:15 pm:**
 - a. Hearing on a dangerous building located at 1343 2nd Avenue South.
 - b. Reeves Addition/Milwaukee Addition/Section 1, Township 139 North, Range 49 West (1612, 1620, 1624, 1630, 1632, 1666 and 1702 1st Avenue North); zoning approved by the Planning Commission on 3/3/21:
 1. Zoning Change from LI, Limited Industrial, GC, General Commercial and GC, General Commercial with a C-O, Conditional Overlay to GC, General Commercial with a PUD, Planned Unit Development Overlay and a request to repeal the C-O, Conditional Overlay.
 2. 1st reading of rezoning Ordinance.
 3. Planned Unit Development Master Plan.
 - c. CONTINUE to 5/3/21 - Covey Ranch First Addition (6688 45th Street South); approval recommended by the Planning Commission on 1/5/21:
 1. Zoning Change from AG, Agricultural to P/I, Public and Institutional.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Covey Ranch First Addition.
 - d. Madelyn's Meadows Fourth Addition (7269 25th Street South); approval recommended by the Planning Commission on 10/6/20:
 1. Zoning Change from AG, Agricultural to SR-4, Single-Dwelling Residential, P/I, Public and Institutional, and MR-1, Multi-Dwelling Residential.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Madelyn's Meadows Fourth Addition.
 - e. Asleson Farms Fourth Addition (3523 and 3575 41st Street South); approval recommended by the Planning Commission on 2/2/21:
 1. Zoning Change from MR-2, Multi-Dwelling Residential, to LC, Limited Commercial.
 2. 1st reading of rezoning Ordinance.
 3. Plat of Asleson Farms Fourth Addition.
 - f. Renaissance Zone Project for HighRoad Properties LLC for a rehab project at 209 and 211 Northern Pacific Avenue North.

29. COVID-19 Update:
 - a. Fargo Cass Public Health Update.
 - b. Discussion regarding the Emergency Declaration.
 1. Discussion on the Take-out Moratorium and other Policies that may be effected by the termination of the State of Emergency, i.e. COVID Procurement.
30. Resolution Directing the Issuance of \$[PAR] Refunding Improvement Bonds, Series 2021A and Prescribing the Terms and Covenants Therefor.
31. Recommendation for Fiscal Year 2022 Federal Funding Opportunities for City-related projects.
32. Construction Update.
33. Applications for property tax exemptions for improvements made to buildings:
 - a. Mark and Nancy Wolfe, 3113 26th Avenue South (3 year).
 - b. Debra Emo, 1620 34 1/2 Avenue South (3 year).
 - c. Jean Anderson, 420 6th Avenue South, Unit 207 (5 year).
 - d. Darin Lang and Katrina Turman, 2543 East Country Club Drive South (5 year).
 - e. Tim Flakoll, 1350 2nd Street North (5 year).
 - f. Brandyn and Kimberly Sauer, 1313 17th Street South (5 year).
 - g. Mark and Kathleen Causapin, 615 10th Avenue South (5 year).
 - h. John and Andrea Larson, 614 19th Avenue South (5 year).
34. Commissioner Gehrig would like to remove all permitting laws from the City of Fargo codes regarding public gatherings.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310 at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/citycommission.